IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

WP(C).No. 28297 of 2007(R)

PETITIONER:

V. SREEKUMAR,
VATTAVILA KADAYARA PUTHEN VEEDU, BLOCK OFFICE ROAD,
PARASSALA, THIRUVANANTHAPURAM.

BY ADV. SRI.SUMAN CHAKRAVARTHY

RESPONDENTS:

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1. **THE STATE OF KERALA,**
   REP. BY ITS SECRETARY POWER, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **THE ADDL.DIST.MAGISTRATE (ADM),**
   COLLECTORATE, THIRUVANANTHAPURAM.

3. **THE ASST.EXECUTIVE ENGINEER,**
   TC SUB DIVISION, THIRUVANANTHAPURAM.

4. **THE ASST.EXECUTIVE ENGINEER,**
   ELECTRICAL SUB DIVISION, POOVAR.

5. **THE EXECUTIVE ENGINEER,**
   ELECTRICAL SUB DIVISION, POOVAR.

BY GOVERNMENT PLEADER SMT. T.B.RAMANI for R1 & R2
BY ADV. SRI. P.P. THAJUDEEN for R3 to R5

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.28297 of 2007-R

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Dated this the 25th day of September, 2007.

JUDGMENT

1. This writ petition is filed raising an apprehension that a final order passed by the Additional District Magistrate on the question of removal of obstruction for the drawal of an electric line would not be communicated as and when passed. Based on such an assumption, the petitioner further apprehends that the line would be drawn without extending an opportunity to him to challenge the decision of the ADM, if it be against his interest.

2. When statutory authorities function, they are expected to do so within the format and going by the prescriptions of law. There is no reason to assume that the ADM would

not communicate the order, if any, that would be issued on the proceedings relatable to any obstruction of the petitioner for the drawal of an electric line. Being a 33KV line, the authorities in the Electricity Board would not also have any reason to draw the line overnight, thereby excluding the right, if any, of the petitioner to challenge the order of the ADM, if such order is against his interest. The apprehensions are, therefore, quite misplaced. I am not, therefore, inclined to issue any direction in this case.

The writ petition is accordingly closed.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

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